

State of South Dakota

SEVENTY-THIRD SESSION
LEGISLATIVE ASSEMBLY, 1998

562B0686

HOUSE BILL NO. 1227

Introduced by: Representatives Schaunaman, Cutler, and Fiegen and Senators Lawler and Everist

1 FOR AN ACT ENTITLED, An Act to allow local governments to request a criminal record
2 check of persons considered for employment and to allow local law enforcement officials to
3 a conduct a criminal record check.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 23-5-12.1 be amended to read as follows:

6 23-5-12.1. The superintendent of any public school or nonpublic school or the owner or
7 operator of any child welfare agency as defined in § 26-6-1 or the hiring authority for any local
8 governmental agency may submit the name of any person being considered for employment by
9 the school or agency, either directly or by contract, to the Division of Criminal Investigation or
10 to local law enforcement officials for a criminal record check. If the division or the local law
11 enforcement agency determines the person has a record of criminal convictions, the division or
12 the local law enforcement agency shall notify the superintendent, owner, ~~or~~ operator, or hiring
13 authority of the criminal offenses.